



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tohru KITAMURA, et al.

Customer No.: 004372

Application No.: 10/821,174

Confirmation No.: 8405

Filed: April 9, 2004

For: A CONTROL APPARATUS FOR AN INTERNAL COMBUSTION ENGINE

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop: Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

July 22, 2004

Sir:

In response to the Notice to File Missing Parts of Application dated June 22, 2004, the following are enclosed:

- Check # 409068 includes the amount of \$900.00 for payment of the required filing and surcharge fees noted in the Notice to File Missing Parts;
- Originally-executed Declaration/Power of Attorney;

Applicants(s) are also enclosing the following:

- Originally executed Assignment with Form PTO-1595; and
- Included in the attached check is the amount of \$40.00 as payment for the recordation of the Assignment.

The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §111 have been met.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 referencing Attorney Docket No. 108426-00047.

Respectfully submitted,

ARENT FOX, PLLC

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,174	04/09/2004	Tohru Kitamura	108426-00047

004372
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CONFIRMATION NO. 8405
FORMALITIES LETTER

 OC000000013020416

Date Mailed: 06/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)***Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration Surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770** Statutory basic filing fee.
- \$130** Late oath or declaration Surcharge.

770.00 OP
 130.00 OP
 07/23/2004 EABUBAK1 000000083 10821174
 02 FC:1001
 03 FC:1051

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

[Handwritten signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE